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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

PABLO ECHAVARRIA,

Plaintiff,

v.

ROSEMARY MELVILLE, District Director,
 in her Official Capacity, District Director,
 Citizenship and Immigration Services, United
 States Department of Homeland Security,
 San Francisco, California, et al.,

Defendants.

No. C 08-5253 RS

**STIPULATION TO DISMISS; AND
~~PROPOSED~~ ORDER**

Plaintiff, by and through his attorney of record, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice in light of the fact that the United States Citizenship and Immigration Services is now prepared to adjudicate Plaintiff's application for naturalization and agrees to do so within 14 days of the dismissal of this action.

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Each of the parties shall bear their own costs and fees.

Date: December 8, 2008

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

/s/

ILA C. DEISS
Assistant United States Attorney
Attorneys for Defendants

Date: December 4, 2008

/s/

PHUONG KIM NGUYEN
Attorney for Plaintiff

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date: 12/10/08



RICHARD SEEBORG
United States Magistrate Judge